

COMMENTS

Claims 1-3 and 5 are the claims in the case. The claims have not been amended.

Rejection under § 103

The examiner rejected claims 1-3 and 5 under 35 U.S.C. § 103(a) as obvious over US Patent 6,309,081 to Furihata in view of US Patent 5,497,293 to Noguchi. Applicant traverses this rejection.

We distinguished the Furihata and Noguchi patents several time during these proceedings. In our January 23, 2008 response to a rejection under § 102(b) based on the Furihata patent, we distinguished Furihata by showing that Furihata discloses ends flaring outward. We amended the claims to recite linear arms, as disclosed in the specification and drawings. The examiner's response on March 27, 2008 was that portions of the Furihata arms were linear and the claim language did not recite that the arms were completely linear. Accordingly, we amended the claims to recite completely linear arms and filed a response after final action on June 23, 2008. The Advisory Action issued on July 2, 2008 and advised that the limitation of the arms being completely linear had not been considered and would require further consideration through an updated search. We then filed a request for continuing examination on that basis on August 16, 2008. That amendment was sufficient for the examiner to remove Furihata as a reference in his October 16, 2008 office action.

In the October 16, 2008 action, he rejected the claims under § 102(b) in view of the Noguchi patent. He also rejected claim 2 under § 103(a) in view of Noguchi. In a response filed on January 16, 2009, we distinguished the Noguchi reference on the basis that the claims were to a self-supporting shape with one diagonal arm, which limitations were not disclosed or suggested by Noguchi.

The examiner, in the office action dated April 28, 2009, now rejects claims 1-3 and 5 under § 103(a) as obvious over Furihata in view of Noguchi but does not address the claim limitations that require a completely linear diagonal arm. Neither Furihata nor Noguchi disclose a clamping arm that is diagonal to the surface of the panel and completely linear, as claimed in claim 1. The examiner points to Fig. 3(c) of the Furihata patent to show a diagonal arm. With all due respect, there are no diagonal arms shown in Fig. 3(c) of Furihata. Instead, the arms are parallel to the surface of the panel with outwardly flared ends. The Furihata arms are neither diagonal nor completely linear. The Noguchi patent discloses nothing other than arms that are parallel to the surface of the panel. Accordingly, taken alone or together, the cited references do not teach, disclose, or suggest diagonal, completely linear arms as claimed in claim 1 and thus, they do not render obvious claim 1, or claims 2 and 3 which are dependent on claim 1.

The examiner also does not address the claim limitation that requires that only a portion of the panel is illuminated by the light source, as claimed in claims 1-3 and 5. Furihata teaches away from such a limitation in that it discloses a light guide designed to provide a uniform light across a light guide plate or the like. Furihata, col. 2, lines 16-18. Similarly, Noguchi discloses a construction directed to uniform surface illumination where rays from the light source travel directly through the surface or are reflected through it. Noguchi, col. 1, lines 43-48; col. 2, lines 5-19. Neither Furihata nor Noguchi, teach or suggest illumination of only a portion of a panel as claimed in claims 1-3 and 5. Accordingly, these claims are patentable over these references taken alone or in combination.

Withdrawal of the rejections based on Furihata and Noguchi is therefore requested.

CONCLUSION

In view of the foregoing, applicant submits that the claims present patentable subject matter. Allowance is respectfully requested.

July 28, 2009

Respectfully submitted

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